

REMARKS

In the Office Action, dated May 11, 2004, the Examiner states that Claims 1-48 are pending, Claims 1-20, 22-31, 33-43 and 46-48 are rejected, and Claims 21-28, 32, 44 and 45 are objected to. By the present Amendment, Applicant amends the claims.

In the Office Action, the previous amendment filed on December 31, 2003 is objected to under 35 U.S.C. §132 as introducing new matter in Claims 5, 13, 20, 42 and 43 by deleting the word "approximately" before "perpendicular". The term "approximately" has been reintroduced into those claims.

In the Office Action, Claims 1-20, 29-31, 33-38, 40-43, 46 and 47 are rejected under 35 U.S.C. §103(a) as being unpatentable over Nicot et al. (FR 2,619,531) in view of Gagliardi: (EPO 652 339). Claims 39 and 48 are rejected in further view of Scherrer (FR 2,630,476). The Applicant has revised the claims to use consistent language throughout the claims and respectfully disagrees with these rejections based upon the amended claims.

Nicot et al. does not disclose the claimed a joint having lip that is shaped a configured to pinch the fabric between the lip and an internal wing. The lip of Nicot et al. instead is shaped a configured to retain a harpoon or barbed edge on the fabric behind the lip and an opposing edge. The harpoon is thus in simple abutment with the lip and the edge, and is not pinched between the lip and the wing as is claimed in the present application. Furthermore, Nicot et al. does not disclose the claimed joint having a flap extending towards the mounting surface. The external portion of Nicot et al. instead is placed directly against the mounting surface. Thus, there is no need for a flap to cover an interval between the two.

Similarly, Gagliardi also does not disclose the pinching lip or flap of the claimed joint. Again, the fabric in Gagliardi is retained by a direct abutment between an end portion of the fabric and a portion of the rail.

The combination of Nicot et al. and Gagliardi neither of which disclose the claimed joint of the present invention, therefore does not make obvious the claimed rail section including this joint.

Scherer (counterpart US Patent No. 5,029,422) which is cited only against Claims 39 and 48 also does not disclose the claimed joint as part of the rail section.

In light of the foregoing response, all the outstanding objections and rejections have been overcome. Applicant respectfully submits that this application should now be in better condition for allowance and respectfully requests favorable consideration.

The Examiner is also advised that in the Office Action Summary it incorrectly indicates that certified copies of the priority document have not been received. However, since the present application is a completion of a PCT application, the Office Action Summary should indicate that copies of the certified copies of the priority document have been received from the International Bureau in accordance with PCT Rule 17.2(a).

Respectfully submitted,

August 11, 2004

Date

Brian W. Hameder  
Attorney for Applicant  
Brian W. Hameder  
c/o Ladas & Parry  
224 South Michigan Avenue  
Chicago, Illinois 60604  
(312) 427-1300  
Reg. No. 45613